



February 22, 2008

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## ENGROSSED HOUSE BILL No. 1280

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DIGEST OF HB 1280 (Updated February 20, 2008 5:31 pm - DI 52)

**Citations Affected:** Noncode.

**Synopsis:** Energy efficient buildings. Requires the environmental quality service council to study: (1) whether public entities should be required or encouraged to seek to achieve energy and environmental design ratings in the construction and renovation of buildings and structures; and (2) related issues.

**Effective:** Upon passage.

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### Pierce, Austin, Porter

(SENATE SPONSORS — HERSHMAN, SIMPSON, BREAUX, GARD)

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January 15, 2008, read first time and referred to Committee on Environmental Affairs.  
January 24, 2008, amended, reported — Do Pass.  
January 28, 2008, read second time, ordered engrossed. Engrossed.  
January 30, 2008, read third time, passed. Yeas 51, nays 45.

SENATE ACTION

February 5, 2008, read first time and referred to Committee on Energy and Environmental Affairs.  
February 21, 2008, amended, reported favorably — Do Pass.

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EH 1280—LS 6890/DI 92+



February 22, 2008

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1280

A BILL FOR AN ACT concerning state and local administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE UPON PASSAGE] (a) The  
2       environmental quality service council established by IC 13-13-7-1  
3       shall study and make findings and recommendations concerning  
4       the following:

5           (1) Whether state law should:

6               (A) require; or

7               (B) encourage through incentives;

8       the construction and renovation of public buildings and  
9       structures with the goal of achieving particular energy and  
10      environmental design ratings.

11      (2) If the findings under subdivision (1) are in the affirmative:

12           (A) which energy and environmental design ratings  
13           systems should be used;

14           (B) which public buildings and structures should be  
15           covered;

16           (C) whether a price preference should apply for purchases  
17           of equipment that is compliant with particular energy

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- 1 ratings;  
 2 (D) if a price preference referred to in clause (C) applies:  
 3 (i) the appropriate percentage of the price preference;  
 4 and  
 5 (ii) whether current law adequately takes into account a  
 6 price preference in the determination of the successful  
 7 bid for sale of the equipment;  
 8 (E) whether the energy and environmental design ratings  
 9 to be used should take into account the use of certified or  
 10 noncertified wood from Indiana;  
 11 (F) if the findings under clause (E) are in the affirmative,  
 12 which organization's wood certification standards should  
 13 be used;  
 14 (G) estimates of the extent of realistic projected energy  
 15 savings;  
 16 (H) estimates of the period over which additional  
 17 construction costs are offset by energy cost savings; and  
 18 (I) any other issues the council considers appropriate.  
 19 (b) The environmental quality service council shall include its  
 20 findings and recommendations developed under subsection (a) in  
 21 the council's 2008 final report to the legislative council.  
 22 (c) This SECTION expires January 1, 2009.  
 23 SECTION 2. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1280, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 14, after "listed" insert "**or eligible for listing**".

Page 2, line 6, delete "is certified to meet at least:" and insert "**be designed with the goal of achieving:**".

Page 2, line 9, delete "or".

Page 2, between lines 9 and 10, begin a new line block indented and insert:

**"(2) the Green Globes Two Globes level; or".**

Page 2, line 10, delete "(2)" and insert "(3)".

Page 2, line 15, delete "reconstruction, repair," and insert "**reconstructed, repaired, altered, or retrofitted building or structure be designed with the goal of achieving:**".

Page 2, delete line 16.

Page 2, line 19, delete "or".

Page 2, between lines 19 and 20, begin a new line block indented and insert:

**"(2) the Green Globes Two Globes level; or".**

Page 2, line 20, delete "(2)" and insert "(3)".

Page 2, between lines 22 and 23, begin a new paragraph and insert:

**"(d) The division shall seek certification through the rating system that is appropriate to the contract for a building or structure that is constructed, reconstructed, repaired, altered, or retrofitted under a contract that is subject to this section."**

Page 2, line 36, after "listed" insert "**or eligible for listing**".

Page 3, line 3, delete "meets at least:" and insert "**be designed with the goal of achieving:**".

Page 3, line 6, delete "or".

Page 3, between lines 6 and 7, begin a new line block indented and insert:

**"(2) the Green Globes Two Globes level; or".**

Page 3, line 7, delete "(2)" and insert "(3)".

Page 3, line 12, delete "reconstruction, repair," and insert "**reconstructed, repaired, altered, or retrofitted building or structure be designed with the goal of achieving:**".

Page 3, delete line 13.

Page 3, line 16, delete "or".

Page 3, between lines 16 and 17, begin a new line block indented

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and insert:

**"(2) the Green Globes Two Globes level; or".**

Page 3, line 17, delete "(2)" and insert "(3)".

Page 3, between lines 19 and 20, begin a new paragraph and insert:

**"(d) The contracting agency shall seek certification through the rating system that is appropriate to the contract for a building or structure that is constructed, reconstructed, repaired, altered, or retrofitted under a contract that is subject to this section."**

Page 3, line 42, after "listed" insert **"or eligible for listing"**.

Page 4, line 8, delete "meets at least:" and insert **"be designed with the goal of achieving:"**.

Page 4, line 11, delete "or".

Page 4, between lines 11 and 12, begin a new line block indented and insert:

**"(2) the Green Globes Two Globes level; or".**

Page 4, line 12, delete "(2)" and insert "(3)".

Page 4, line 17, delete "reconstruction, repair, alteration," and insert **"reconstructed, repaired, altered, or retrofitted building or structure be designed with the goal of achieving:"**.

Page 4, delete line 18.

Page 4, line 21, delete "or".

Page 4, between lines 21 and 22, begin a new line block indented and insert:

**"(2) the Green Globes Two Globes level; or".**

Page 4, line 22, delete "(2)" and insert "(3)".

Page 4, between lines 24 and 25, begin a new paragraph and insert:

**"(d) The university shall seek certification through the rating system that is appropriate to the contract for a building or structure that is constructed, reconstructed, repaired, altered, or retrofitted under a contract that is subject to this section."**

Page 5, line 24, after "listed" insert **"or eligible for listing"**.

Page 5, line 33, delete "is certified to meet at least:" and insert **"be designed with the goal of achieving:"**.

Page 5, line 36, delete "or".

Page 5, between lines 36 and 37, begin a new line block indented and insert:

**"(2) the Green Globes Two Globes level; or".**

Page 5, line 37, delete "(2)" and insert "(3)".

Page 5, line 42, delete "reconstruction, repair," and insert **"reconstructed, repaired, altered, or retrofitted building or structure be designed with the goal of achieving:"**.

Page 6, delete line 1.

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Page 6, line 4, delete "or".

Page 6, between lines 4 and 5, begin a new line block indented and insert:

**"(2) the Green Globes Two Globes level; or".**

Page 6, line 5, delete "(2)" and insert "(3)".

Page 6, between lines 7 and 8, begin a new paragraph and insert:

**"(e) The political subdivision shall seek certification through the rating system that is appropriate to the contract for a building or structure that is constructed, reconstructed, repaired, altered, or retrofitted under a contract that is subject to this section."**

and when so amended that said bill do pass.

(Reference is to HB 1280 as introduced.)

DVORAK, Chair

Committee Vote: yeas 7, nays 3.

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#### SENATE MOTION

Madam President: I move that Senator Gard be added as cosponsor of Engrossed House Bill 1280.

HERSHMAN

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#### COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred House Bill No. 1280, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning state and local administration.

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Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1280 as printed January 25, 2008.)

GARD, Chairperson

Committee Vote: Yeas 7, Nays 1.

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